



COUNTY OF MIDDLESEX, NEW JERSEY

DIVISION OF LAW, COURT HOUSE
NEW BRUNSWICK, NEW JERSEY

Copy to
1300 Raritan Avenue
Highland Park, N. J.

2

COUNSEL
WARREN W. WILENTZ
ASST. COUNSEL
HERMAN B. HOFFMAN

August 21, 1964

General Services Administration
30 Church Street
New York, N. Y.

Re: Middlesex County/161.03
Acres-Formerly Raritan
Arsenal
Our File: 155 R.A.

Attention: Albert Wilson, Chief, Real Property Division
Paul F. Cirillo, Assistant Regional Counsel

C
Gentlemen:

I have reviewed the Deed in the above matter submitted to Mr. Lee under letter of August 13, 1964 signed by Paul F. Cirillo.

I would like to make the following observations:

O
Conditions are made under paragraphs numbered 1, 2 and 3 setting forth the purposes of the conveyance. These are set forth accurately. Under paragraph numbered 4 provisions are made for a forfeiture in the event of a breach of the conditions for which the premises are being conveyed.

P
We have no objections to a provision for forfeiture; however, we do feel that in establishing the rights of the parties under the Deed, the County should be protected by providing for a repayment of the purchase price in the event of a forfeiture.

Y
The County has every intention to utilize the lands for park and recreational areas--not only now, but also in the future. We are, however, attempting to establish rights and I believe it only proper that any rights which may be established are equitable to all parties concerned. In the event the lands are not used for park and recreational purposes, the County would be obligated to the State of New Jersey under the Green Acres Program to repay the State of New Jersey for the State's contribution. This would be applicable if there were a forfeiture under paragraph 4 or if there was a taking under paragraph 6 (the National Emergency Requirement.).

We respectfully request that paragraph 4 of the Deed and paragraph 6 of the Deed be amended by adding thereto a provision for repaying the County the actual purchase price of \$253,125.00 in the event of either a forfeiture under paragraph 4 or a taking under paragraph 6 for national emergency.



COUNTY OF MIDDLESEX, NEW JERSEY

DIVISION OF LAW, COURT HOUSE
NEW BRUNSWICK, NEW JERSEY

135 Raritan Avenue
Highland Park, N. J.

2

COUNSEL
WARREN W. WILENTZ
ASST. COUNSEL
HERMAN B. HOFFMAN

Page 2: General Services Administration
August 21, 1964

I trust that you will give this matter your attention and that we will receive a favorable reply at an early date.

If there is anything further that you desire or if you wish to discuss this in person, please advise and arrangements will be made.

Very truly yours,

HBF
Herman B. Hoffman,
Assistant County Counsel

HBH/lmh

cc George L. Burton, Director, Middlesex
County Board of Chosen Freeholders

Thomas H. Lee, Freeholder

Douglas S. Powell, County Planning Director

Richard M. Mack, Jr., Clerk
Board of Chosen Freeholders



COUNTY OF MIDDLESEX, NEW JERSEY

DIVISION OF LAW, COURT HOUSE
NEW BRUNSWICK, NEW JERSEY

Reply To
139 Raritan Avenue
Highland Park, N. J.

COUNSEL
WARREN W. WILENTZ
ASST. COUNSEL
HERMAN B. HOFFMAN

August 21, 1964

General Services Administration
30 Church Street
New York, N. Y.

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COUNTY OF MIDDLESEX, NEW JERSEY

DIVISION OF LAW, COURT HOUSE
NEW BRUNSWICK, NEW JERSEY

Reply To
139 Raritan Avenue
Highland Park, N. J.

COUNSEL
WARREN W. WILENTZ
ASST. COUNSEL
HERMAN B. HOFFMAN

Page 2: General Services Administration
August 21, 1964

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Herman B. Hoffman,
Assistant County Counsel

HBH/lmh

cc George L. Burton, Director, Middlesex
County Board of Chosen Freeholders

Thomas H. Lee, Freeholder

Douglas S. Powell, County Planning Director

Richard M. Mack, Jr., Clerk
Board of Chosen Freeholders

GENERAL SERVICE ADMINISTRATION ROUTING SLIP										
TO	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9 R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC.				
1.	P. F. Cirillo - 2-L					20th floor				
2.										
3.										
4.										
5.										

☐ ALLOTMENT SYMBOL
☐ APPROVAL
☐ AS REQUESTED
☐ CONCURRENCE
☐ CORRECTION
☐ FILING
☐ FULL REPORT
☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____
☐ PREPARE REPLY FOR THE SIGNATURE OF _____

☐ HANDLE DIRECT
☐ IMMEDIATE ACTION
☐ INITIALS
☐ NECESSARY ACTION
☐ NOTE AND RETURN
☐ PER OUR CONVERSATION
☐ PER TELEPHONE CONVERSATION

☐ READ AND DESTROY
☐ RECOMMENDATION
☐ SEE ME
☐ SIGNATURE
☐ YOUR COMMENT
☒ YOUR INFORMATION
☐ and file.

REMARKS

FROM	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9 R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC.				
Albert Wilson, Chief Real Property Division, UDS						20th floor				
						TELEPHONE				
						DATE				
						8/31/64				

GPO : 1962 O-655346

UTILIZATION AND DISPOSAL SERVICE
30 Church Street

August 31, 1964

2UR

County of Middlesex
Division of Law
139 Raritan Avenue
Highland Park, New Jersey

Attention: Mr. Herman B. Hoffman
Assistant County Counsel

Gentlemen:

Subject: 161.03 Acres
(Former) Raritan Arsenal
Middlesex County, New Jersey
D-NJ-440C

This will refer to your letter of August 21, 1964 concerning the conveyance of 161.03 acres of land for park and recreational use to the County of Middlesex.

The matter is presently under consideration and this office will communicate with you in the very near future.

Sincerely yours,

Albert Wilson
Chief, Real Property Division

cc: Official File - 2UR
P. F. Cirillo - 2-L ✓
Daily File - 2UR

MQAnnibale:rc

8/31/64

Ext. 338

30 Church Street

/
August 13, 1964

2L

County of Middlesex
County Record Building
Bayard Street
New Brunswick, New Jersey

Attention: Mr. Thomas H. Lee
Freeholder

Re: 161.03 Acres
Former Baritan Arsenal
Middlesex County, New Jersey

Gentlemen:

Enclosed herewith is copy of deed which we propose to use in the conveyance of subject property to the County of Middlesex for public park and recreational purposes. This deed contains provisions required by Public Law 616, 80th Congress, presently used for conveyance of property under said Act and incorporates the agreements contained in letters dated June 16, 1964 and June 24, 1964.

On closing of title, the full cash consideration of \$253,125 must be paid by certified check drawn to the order of General Services Administration. We can arrange the closing in person in this office or I can mail to you the original deed upon your advice that such deed is satisfactory, accompanied by the check.

Please let me know if we can be of further assistance to you in this matter.

cc: Official File - 2L
Reading
PAUL F. CIRILLO/ccn

Very truly yours,

PAUL F. CIRILLO
Assistant Regional Counsel

Memorandum

TO : Assistant Regional Counsel

Date: July 18, 1964

FROM : ^{Chief} Chief, Real Property Division
Utilization and Disposal ServiceSUBJECT: Raritan Arsenal
Edison Township
New Jersey - D-NJ-440C

In reply refer to: 2UR

The application dated February 11, 1964 of the County of Middlesex, State of New Jersey, to acquire 161.03 acres and improvements located thereon of the subject installation for park and recreational use under the provisions of Public Law 616, 80th Congress, was accepted by this office on June 16, 1964. The acquisition cost of the property is \$1,941,925.00 and the appraised fair market value is \$506,250.00.

Please take the necessary steps to convey the property to the County of Middlesex. The purchase price will be \$253,125.00, being fifty (50%) percent of the appraised fair market value, all of which is due on closing. As there are no minerals located on the property having commercial value, the deed shall contain no restrictions of sub-surface rights.

In this connection, we attach the following for your information and files:

1. Copy of application dated February 11, 1964.
2. Copy of letter dated May 19, 1964 from the U. S. Department of the Interior, Bureau of Outdoor Recreation, Washington, D. C.
3. Report of the Bureau of Outdoor Recreation dated April 1964, to be given to the County on conveyance of the property.
4. Copy of memorandum dated May 27, 1964 from Assistant Commissioner for Real Property, Washington, D. C.
5. Copy of acceptance letter to the County dated June 16, 1964, and amendment thereto dated June 24, 1964.

The proper name of the Grantee as it should appear in the deed is as follows:

County of Middlesex, a municipal corporation organized under the laws of the State of New Jersey, whose principal office is now located in the City of New Brunswick, County of Middlesex and State of New Jersey.

*Albert Wilson*Albert Wilson ^R

Attachments

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



UTILIZATION AND DISPOSAL SERVICE
30 Church Street

June 24, 1964

2UR

County of Middlesex
County Record Building
Bayard Street
New Brunswick, New Jersey

Attention: Mr. Thomas H. Lee
Freeholder

Gentlemen:

Subject: Raritan Arsenal (Portion)
Edison Township
Middlesex County, N. J.
D-NJ-440C

Please refer to our letter of June 16, 1964 wherein you were informed of the acceptance by this Agency of your application to acquire 161.03 acres of land of the subject installation for park and recreational use. It is noted that the contaminated area in Paragraph 11 is erroneously described and is hereby amended to read as follows:

11. It is understood that approximately 8.33 acres of the ~~161.03~~ ^{previous hereby conveyed} acres, more particularly described below, were subject to contamination and may be contaminated on and beneath the ground surface as a result of the use thereof by the United States of America and the use and occupancy of such area shall be restricted to surface use only. The deed of conveyance shall contain recitals and covenants reflecting the duties and obligations contained in this paragraph.

Tract 1:

BEGINNING at the northeast corner of the above parcel; thence southerly along the easterly line thereof a distance of 1750 feet, more or less, to a pin in the center line of a road known as Magazine Road No. 5; thence westerly along the center line of Magazine Road No. 5 a distance of 793.5 feet, more or less, to a railroad spike; thence with an angle of 90° to the right a distance of 32.4 feet to an iron pipe; this pipe marks the true point or place of beginning of the tract about to be described:

59

Tract 1 (cont'd.)

Thence from said true point or place of beginning continuing along the same course a distance of 306.15 feet, more or less, to an iron pipe; thence with an angle of 89° to the left a distance of 504.8 feet, more or less, to an iron pipe; thence with an angle of 87° to the left a distance of 308.3 feet, more or less, to an iron pipe; thence with an angle of 94° to the left a distance of 524.9 feet, more or less, to the true point or place of beginning, containing 3.63 acres, more or less.

Tract 2:

BEGINNING at the northeast corner of the above-described parcel; thence southerly along the easterly line thereof a distance of 1750 feet, more or less, to a pin in the center line of a road known as Magazine Road No. 5; thence westerly along the center line of Magazine Road No. 5 a distance of 793.5 feet, more or less, to a railroad spike; thence with an angle of 90° to the left a distance of 11.55 feet to an iron pipe, this pipe marks the true point or place of beginning of the tract about to be described:

Thence from said true point or place of beginning continuing along the same course a distance of 299.15 feet, more or less, to an iron pipe; thence with an angle of 87° to the right a distance of 643 feet, more or less, to an iron pipe; thence with an angle of 92° to the right a distance of 333.65 feet, more or less, to an iron pipe; thence with an angle of 91° to the right a distance of 653 feet to the true point or place of beginning, containing 4.7 acres, more or less.

Please indicate your acceptance in the space provided for below and return same to this office, together with your acceptance of the terms and conditions contained in our letter of June 16, 1964.

Sincerely yours,

/s/ Albert Wilson
 Albert Wilson
 Chief, Real Property Division

Accepted this 30 day
 of June, 1964.

BY: /s/ Thomas H. Lee

 (Title)

UTILIZATION AND DISPOSAL SERVICE
30 Church Street

June 16, 1964

2UR

County of Middlesex
County Record Building
Bayard Street
New Brunswick, New Jersey

Attention: Mr. Thomas H. Lee
Freeholder

Gentlemen:

Subject: Raritan Arsenal (Portion)
Edison Township
Middlesex County, N. J.
D-NJ-440C

This is to inform you that your application dated February 11, 1964, as amended, to acquire a portion of the subject property, consisting of 161.03 acres and improvements located thereon for public park and recreation purposes under Public Law 616, 80th Congress, has been accepted today by this Agency.

The conveyance of the property shall be subject to the following:

- ✓ 1. The purchase price shall be \$253,125.00, being fifty (50%) percent of the appraised fair market value of \$506,250.00, and shall be paid in full on closing by certified check made payable to General Services Administration.
- ✓ 2. The property shall be transferred subject to the condition that it will be forever used and maintained as a public park and public recreational area and for that purpose only, in accordance with the approved program.
- ✓ 3. The property shall not be sold, leased, assigned, or otherwise disposed of except to another local governmental agency that the Secretary of the Interior is satisfied can assure the continued use and maintenance of the property for a public park and public recreational area purposes.

- ✓ 4. Biennial reports setting forth the use made of the property during the preceding two-year period shall be filed by the transferee.
- ✓ 5. Title to the property transferred shall revert to the United States at its option in the event of noncompliance with any of the terms and conditions of disposal.
- ✓ 6. The Government shall have the right, during any national emergency, including any existing national emergency, to full, unrestricted use of the property conveyed without charge; provided, the Government shall bear the entire cost of maintenance of all property so used within a period of twenty years from this conveyance, and for any use occurring after the expiration of period of restriction shall pay fair rental for all property so used. It shall pay fair rental for use of improvements added by purchaser without Federal aid whether the Government's use occurs during, or after the expiration of, the period of restriction.
- ✓ 7. The Grantee may, at the discretion of the Secretary of the Interior, but subject to the disapproval of the Administrator of General Services, secure release of any of the above provisions of the Agreement of Transfer except the Government's right to recapture the property for emergency use as set forth in paragraph 6., above, if the Secretary determines that the property sought to be released no longer serves the purpose for which it was transferred, or that such release will not prevent accomplishment of the purpose for which such property was transferred: Provided, that (a) if the Grantee requests that all of the property transferred to it be released from the said provisions of the Agreement of Transfer, or any of them, the Grantee shall pay to the Government upon such release, an amount equal to the fair value of said property, as determined by the Government, based upon its highest and best use at the time such release is requested, less the sum paid for the said property by the Grantee when the said property was transferred or (b) if the Grantee requests that a portion of the property transferred to it be released from said provisions of the Agreement of Transfer, or any of them, the Grantee shall pay to the Government, upon such release, an amount of money as the Government determines to be appropriate which appropriate amount shall be computed by first determining the fair value on the basis of the highest and best use, as of the date of the request for release, of all the property transferred to the

Grantee and by subtracting therefrom the fair value of that portion of the property which is to remain subject to such conveyance restrictions, and by further subtracting from the result the portion of the total price originally paid by the Grantee that is applicable, on the basis of acreage, to the property which is to be released from the conveyance restrictions.

6. Any state of facts which a physical inspection and an accurate and adequate survey of the premises may disclose.
9. Existing easements for public roads and highways, for paths, public utilities and pipelines, for railroads and telephone agreements, if any.
10. Together with and subject to a perpetual easement for a grade crossing over the land and tracks of Lehigh Valley Railroad Company acquired by the United States of America, described and identified as Parcel B in United States Army Requisition No. 1042 B/C, Ordinance No. 693 dated February 6, 1919 and filed in the Middlesex County Clerk's Office in Miscellaneous Records, pages 247, etc., Book 2 on September 25, 1919.
11. It is understood that approximately 3.63 acres of the 161.03 acres, more particularly described below, were subject to contamination and may be contaminated on and beneath the ground surface as a result of the use thereof by the United States of America and the use and occupancy of such area shall be restricted to surface use only. The deed of conveyance shall contain recitals and covenants reflecting the duties and obligations contained in this paragraph.

BEGINNING at the northeast corner of the above parcel; thence southerly along the easterly line thereof a distance of 1750 feet, more or less, to a pin in the center line of a road known as Magazine Road No. 3; thence westerly along the center line of Magazine Road No. 5 a distance of 793.5 feet, more or less, to a railroad spike; thence with an angle of 90° to the right a distance of 32.4 feet to an iron pipe; this pipe marks the true point or place of beginning of the tract about to be described;

Thence from said true point or place of beginning continuing along the same course a distance of 306.15 feet, more or less, to an iron pipe; thence with an angle of 89° to the left a distance of 504.8 feet, more or less, to an iron pipe; thence with an angle of 87° to the left a distance of 308.3 feet, more

see
supplement
dated 6/1/19
attached

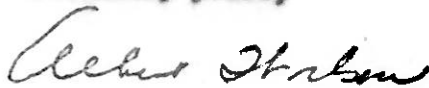
or less, to an iron pipe; thence with an angle of 94° to the left a distance of 524.9 feet, more or less, to the true point or place of beginning, containing 3.63 acres, more or less.

The County agrees for itself, its successors and assigns, to assume all risk for personal injuries and property damage arising out of ownership, maintenance, use and operation of said property and further covenants and agrees to indemnify and save harmless the General Services Administration and the United States of America, their servants, agents, officers and employees, against any and all liabilities, claims, causes of action or suits due to, arising out of, or resulting from, immediately or remotely, the possible contaminated conditions, ownership, use, occupation or presence of the County, its successors and assigns, or any other person upon the property, lawfully or otherwise.

Please indicate your acceptance within five (5) days of receipt of this letter in the space provided for below and return two (2) executed copies to this office. If the County elects not to acquire the property, your application will be considered withdrawn.

In addition, concurrent with your acceptance or immediately thereafter, please furnish two (2) certified copies of appropriate resolutions authorizing this transaction and indicating the name of the official who will represent the County in this transaction, and the proper name and address of the Grantee as it should appear in the closing document.

Sincerely yours,



Albert Wilson
Chief, Real Property Division

Accepted this 18 day of
June, 1964.

BY: /s/ Thomas H. Lee
Chairman, Department of Public Parks

(Title) Board of Chosen Freeholders
County of Middlesex, N. J.

*Amended
ref to deed*

BEGINNING at a point distant Eleven Hundred Twenty-three and Fifteen one-hundredths (1123.15') feet on a course of South Ten degrees Twelve minutes Forty seconds West (S. 10° 12' 40" W.) from the intersection of the Southerly line of the Lehigh Valley Railroad and the Northeasterly line of the lands above described; thence running (1) South Thirty-seven degrees Forty-seven minutes Forty seconds East (S. 37° 47' 40" E.), Five Hundred Forty-one and Sixty-four one-hundredths (541.64') feet; thence (2) South Fifty-two degrees Ten minutes Ten seconds West (S. 52° 10' 10" W.), Four Hundred Six and Thirteen one-hundredths (406.13') feet; thence (3) North Thirty-seven degrees Forty-two minutes West (N. 37° 42' W.), Two Hundred Thirty-three and Fifty-six one-hundredths (233.56') feet to a point in Magazine Road No. 3; thence (4) North Fifty-two degrees Nineteen minutes Thirty seconds East (N. 52° 19' 30" E.) along Magazine Road No. 3, One Hundred Eighty-one and Forty-eight one-hundredths (181.48') feet; thence (5) North Thirty-seven degrees Forty-nine minutes West (N. 37° 49' W.), Three Hundred Eight and Nine tenths (308.9') feet to a point Forty (40') feet Southeasterly from the center line of Magazine Road No. 2; thence (6) North Fifty-two degrees Fifteen minutes Ten seconds East (N. 52° 15' 10" E.) parallel with and distant Forty (40') feet Southeasterly from the center line of said Magazine Road No. 2, Two Hundred Twenty-four and Thirty-nine one-hundredths (224.39') feet to the place of Beginning.

Containing ~~Three~~ and Seven Hundred Sixty-three one-thousandths (3.763) Acres of land.

~~The resultant acreage above described is One Hundred Sixty-one and Three one-hundredths (161.03) Acres of land.~~

WHEREAS, by resolution adopted on January 9, 1964 by the Board of Chosen Freeholders of the County of Middlesex, Freeholder Thomas H. Lee was authorized to make application to acquire a portion of property consisting of 161.03 Acres, being a part of Raritan Arsenal in the Township of Edison, County of Middlesex and State of New Jersey for the Department of Parks of said County of Middlesex; and

WHEREAS by letter dated June 16, 1964 the County of Middlesex was informed by the General Services Administration that the application for the purchase of said lands was accepted subject to certain terms and conditions more fully set forth in said letter of June 16, 1964 from the General Services Administration, Utilization and Disposal Service, executed by Albert Wilson, Chief Real Property Division; and

WHEREAS, the purchase price to the County of Middlesex was in the sum of \$253,125.00:

NOW THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Middlesex that the terms and conditions for the purchase of 161.03 Acres of land from the General Services Administration for the County Park Department, which terms and conditions are set forth in the aforementioned letter dated June 16, 1964 shall be and are hereby accepted; and

BE IT FURTHER RESOLVED that Freeholder Thomas H. Lee, Chairman of the Park Department of Middlesex County shall be and is hereby authorized to execute said acceptance on a copy of said letter of June 16, 1964, and to perform any and all other things as may be required pursuant thereto; and

BE IT FURTHER RESOLVED that the County of Middlesex does hereby agree to pay the sum of \$253,125.00 for the said 161.03 Acres as the same is more fully set forth in map entitled "Plan of Survey of Portion of Raritan Arsenal, Situate in Edison Township, Middlesex County, N.J., Scale 1" = 200' dated June 1963, revised July 10, 1963, (ADD. Tract "A"), prepared by Raymond P.

Wilson Associates, Civil Engineers and Land Surveyors" and set forth as Tract "A" Proposed Middlesex County Acquisition for Recreational Use, prepared by Raymond P. Wilson Associates, Civil Engineers and Land Surveyors, which map is on file in the office of the Clerk of the Board of Chosen Freeholders.

Thomas H. Lee, Chairman
Dept. of Public Parks

Dated: June 18, 1964

I, Mary C. Hudson, Asst. Clerk of the Board of Chosen Freeholders of the County of Middlesex and State of New Jersey, do hereby certify that the above is a true copy of a resolution adopted at a meeting of the Board held on the 17 day of June, 1964
Mary C. Hudson
Asst. Clerk.

METES AND BOUNDS DESCRIPTION

Description of 161 03 Acre parcel to be conveyed to Middlesex County Board of Chosen Freeholders for Recreation purposes.

Township of Edison, County of Middlesex, State of New Jersey.

BEGINNING at a point in the Southerly line of the Lehigh Valley Railroad, said point being distant Seven Hundred Thirty-seven and Eighty-six one-hundredths (737.86') feet Easterly as measured along said Southerly line from its intersection with the Northeasterly line of lands, now or formerly of Nixon Nitration Works; thence running (1) North Thirty-four degrees Eighteen minutes Thirty seconds East (N. $34^{\circ} 18' 30''$ E.) along the Southerly line of the Lehigh Valley Railroad, Twelve Hundred Ninety-five and Twenty-five one-hundredths (1295.25') feet to a point of curve; thence (2) Easterly on a curve to the right having a radius of Eleven Hundred Thirteen (1113') feet and a length of Seven Hundred Seventy-eight and Thirty-two one-hundredths (778.32') feet to a point of Tangent (The chord of said arc having a bearing of North Fifty-four degrees Twenty minutes Thirty seconds East (N. $54^{\circ} 20' 30''$ E.) and a length of Seven Hundred Sixty-two and Fifty-five one-hundredths (762.55') feet); thence (3) North Seventy-four degrees Twenty-two minutes Thirty seconds East (N. $74^{\circ} 22' 30''$ E.), Seventy-one and Two tenths (71.2') feet; thence (4) South Thirty-seven degrees Forty-four minutes Fifty seconds East (S. $37^{\circ} 44' 50''$ E.) along lands remaining to the United States of America (Raritan Arsenal), Thirty-eight Hundred Fifty-nine and Seventy-three one-hundredths (3859.73') feet to the center line of Magazine Road No. 11; thence (5) South Fifty-two degrees Fifteen minutes Ten seconds

West (S. $52^{\circ} 15' 10''$ W.) along the center line of Magazine Road No. 11 and along lands remaining to the United States of America, Twenty-one Hundred Thirty-seven and Fifty-four one-hundredths ($2137.54'$) feet to lands, now or formerly of Nixon Nitration Works; thence Northwesterly along said last mentioned lands the Six following courses, to wit; (6) North Eleven degrees Twenty-nine minutes Forty seconds West (N. $11^{\circ} 29' 40''$ W.), Fourteen Hundred Thirty-three and Sixty-five one-hundredths ($1433.65'$) feet; (7) South Eighty-one degrees Forty-eight minutes Twenty seconds West (S. $81^{\circ} 48' 20''$ W.), One Hundred Thirty-eight and Ninety-two one-hundredths ($138.92'$) feet; (8) North Forty-five degrees Sixteen minutes Forty seconds West (N. $45^{\circ} 16' 40''$ W.), Three Hundred Thirty-five ($335'$) feet; (9) North Sixty-eight degrees Twenty minutes Forty seconds West (N. $68^{\circ} 20' 40''$ W.), Three Hundred Thirty-six and Two one-hundredths ($336.02'$) feet; (10) North Seventy degrees Forty-five minutes Forty seconds West (N. $70^{\circ} 45' 40''$ W.), Two Hundred Nineteen and Forty-one one-hundredths ($219.41'$) feet; (11) North Eighty-seven degrees Twenty-one minutes Forty seconds West (N. $87^{\circ} 21' 40''$ W.), One Hundred Sixty-nine and Eighty-eight one-hundredths ($169.88'$) feet; thence (12) North Thirty-seven degrees Forty-four minutes Fifty seconds East (N. $37^{\circ} 44' 50''$ E.), Eleven Hundred Eighty and Forty-one one-hundredths ($1180.41'$) feet to the place of Beginning.

Excepting thereout and therefrom the following described tract containing the Sewage Treatment Plant Site: -

*Conveyed by DHEW deed dated 11/30/64
recorded 1/5/65 in County Clerk's office, Middlebury
County, Book 7 Deeds 2457, P. 125*

BEGINNING at a point distant Eleven Hundred Twenty-three and Fifteen one-hundredths (1123.15') feet on a course of South Ten degrees Twelve minutes Forty seconds West (S. 10° 12' 40" W.) from the intersection of the Southerly line of the Lehigh Valley Railroad and the Northeasterly line of the lands above described; thence running (1) South Thirty-seven degrees Forty-seven minutes Forty seconds East (S. 37° 47' 40" E.), Five Hundred Forty-one and Sixty-four one-hundredths (541.64') feet; thence (2) South Fifty-two degrees Ten minutes Ten seconds West (S. 52° 10' 10" W.), Four Hundred Six and Thirteen one-hundredths (406.13') feet; thence (3) North Thirty-seven degrees Forty-two minutes West (N. 37° 42' W.), Two Hundred Thirty-three and Fifty-six one-hundredths (233.56') feet to a point in Magazine Road No. 3; thence (4) North Fifty-two degrees Nineteen minutes Thirty seconds East (N. 52° 19' 30" E.) along Magazine Road No. 3, One Hundred Eighty-one and Forty-eight one-hundredths (181.48') feet; thence (5) North Thirty-seven degrees Forty-nine minutes West (N. 37° 49' W.), Three Hundred Eight and Nine tenths (308.9') feet to a point Forty (40') feet Southeasterly from the center line of Magazine Road No. 2; thence (6) North Fifty-two degrees Fifteen minutes Ten seconds East (N. 52° 15' 10" E.) parallel with and distant Forty (40') feet Southeasterly from the center line of said Magazine Road No. 2, Two Hundred Twenty-four and Thirty-nine one-hundredths (224.39') feet to the place of Beginning.

Containing ~~Three~~ and Seven Hundred Sixty-three one-thousandths (3.763) Acres of land.

The resultant acreage above described is One Hundred Sixty-one and Three one-hundredths (161.03) Acres of land.

GENERAL SERVICES ADMINISTRATION



UTILIZATION AND DISPOSAL SERVICE
30 Church Street

Region 2
New York, New York 10007

June 24, 1964

IN REPLY REFER TO:

2UR

County of Middlesex
County Record Building
Bayard Street
New Brunswick, New Jersey

Attention: Mr. Thomas H. Lee
Freeholder

Gentlemen:

Subject: Raritan Arsenal (Portion)
Edison Township
Middlesex County, N. J.
D-NJ-4400

Please refer to our letter of June 16, 1964 wherein you were informed of the acceptance by this Agency of your application to acquire 161.03 acres of land of the subject installation for park and recreational use. It is noted that the contaminated area in Paragraph 11 is erroneously described and is hereby amended to read as follows:

11. It is understood that approximately 8.33 acres of the 161.03 acres, more particularly described below, were subject to contamination and may be contaminated on and beneath the ground surface as a result of the use thereof by the United States of America and the use and occupancy of such area shall be restricted to surface use only. The deed of conveyance shall contain recitals and covenants reflecting the duties and obligations contained in this paragraph.

Tract 1:

BEGINNING at the northeast corner of the above parcel; thence southerly along the easterly line thereof a distance of 1750 feet, more or less, to a pin in the center line of a road known as Magazine Road No. 5; thence westerly along the center line of Magazine Road No. 5 a distance of 793.5 feet, more or less, to a railroad spike; thence with an angle of 90° to the right a distance of 32.4 feet to an iron pipe; this pipe marks the true point or place of beginning of the tract about to be described:

Keep Freedom in Your Future With U.S. Savings Bonds

Tract 1 (cont'd.)

Thence from said true point or place of beginning continuing along the same course a distance of 306.15 feet, more or less, to an iron pipe; thence with an angle of 89° to the left a distance of 504.8 feet, more or less, to an iron pipe; thence with an angle of 87° to the left a distance of 308.3 feet, more or less, to an iron pipe; thence with an angle of 94° to the left a distance of 524.9 feet, more or less, to the true point or place of beginning, containing 3.63 acres, more or less.


Tract 2:

BEGINNING at the northeast corner of the above-described parcel; thence southerly along the easterly line thereof a distance of 1750 feet, more or less, to a pin in the center line of a road known as Magazine Road No. 5; thence westerly along the center line of Magazine Road No. 5 a distance of 793.5 feet, more or less, to a railroad spike; thence with an angle of 90° to the left a distance of 11.55 feet to an iron pipe, this pipe marks the true point or place of beginning of the tract about to be described:

Thence from said true point or place of beginning continuing along the same course a distance of 299.15 feet, more or less, to an iron pipe; thence with an angle of 87° to the right a distance of 643 feet, more or less, to an iron pipe; thence with an angle of 92° to the right a distance of 333.65 feet, more or less, to an iron pipe; thence with an angle of 91° to the right a distance of 653 feet to the true point or place of beginning, containing 4.7 acres, more or less.

Please indicate your acceptance in the space provided for below and return same to this office, together with your acceptance of the terms and conditions contained in our letter of June 16, 1964.

Sincerely yours,


Albert Wilson
Chief, Real Property Division

Accepted this 30 day
of June, 1964.

BY: 

(Title)

Memorandum

TO : Regional Administrator, GSA
New York, New York
Attention: Regional Director, UDS Date: MAY 27 1964

FROM : Assistant Commissioner for Real Property,
Utilization and Disposal Service

SUBJECT: Fortitan Arsenal (portion)
Edison Township, Middlesex County
New Jersey
D-NJ-440C

In reply refer to:

There is attached for appropriate action the ribbon copy of a letter dated May 19, 1964, from the Department of the Interior, together with two copies of a report on the application of the Board of Chosen Freeholders of the County of Middlesex, for the transfer of the subject property to the county of Middlesex, New Jersey, for park and recreation purposes.

Walter C. Moreland
Walter C. Moreland

Enclosures 3

*20**4*



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF OUTDOOR RECREATION
WASHINGTON, D.C. 20240

man

May 19, 1964

Mr. Walter C. Moreland
Assistant Commissioner
Utilization and Disposal Service
General Services Administration
Washington, D. C. 20405

Dear Mr. Moreland:

The county of Middlesex, New Jersey, acting by and through Mr. Thomas H. Lee, Member of the Board of Chosen Freeholders of the county of Middlesex, filed an application dated February 11, 1964, under provisions of Sec. 13 (h) of the Surplus Property Act of 1944, as amended, to acquire for public park and recreation purposes, at 50 percent of fair value, approximately 161.03 acres of improved land known as Portion of Raritan Arsenal, Edison Township, Middlesex County, New Jersey, GSA No. D-NJ-440C.

This Bureau has reviewed the application and investigated the property. Three copies of the covering report are enclosed; one for your files, one for your regional office and one to be presented to the applicant. The cost of the investigation and preparation of the report is approximately \$233.13. As soon as the actual cost is known, our fiscal office will bill you on Standard Form 1081.

Under the authority delegated by the Secretary of the Interior to the Director, 248 D.M. 1.1C (27 F.R. 6719), it is my determination, based on the enclosed report, that the property is suitable and desirable for transfer to the applicant for the purposes requested.

Sincerely yours,

Acting

Walter C. Moreland
Assistant Director

Enclosures 3

(2)

Director of Regional Data and Financial Management
Regional Director, UDS

October 28, 1964

Associate Regional Counsel

161.03 Acres

2LX

Conveyance to County of Middlesex for
Public Park and Recreational Purposes

On October 22, 1964, title to subject property was conveyed. The cash consideration was \$253,125.00 representing 50% of the appraised fair market value, which has been received.

In connection herewith I transmit to Director of Regional Data and Financial Management one conformed copy and to Regional Director, UDS, four conformed copies of Quitclaim Deed dated October 13, 1964 to the County of Middlesex.

PAUL F. CIRILLO

Enclosures

cc: Mr. Bennett - 2BCF
Official File - 2L
Reading
PAUL F. CIRILLO/ccn

CONFORMED

QUITCLAIM DEED

THIS INDENTURE, made this 15th day of October , 1964,
between the UNITED STATES OF AMERICA acting by and through the
ADMINISTRATOR OF GENERAL SERVICES, under and pursuant to the
powers and authority contained in the Federal Property and
Administrative Services Act of 1949 (63 Stat. 377) as amended,
and the Surplus Property Act of 1944 (58 Stat. 763) as amended
thereby, and more particularly by Public Law 616, 80th Congress,
approved June 10, 1948, and Regulations and Orders promulgated
thereunder, party of the first part, and **the County of Middlesex,**
a Municipal Corporation of the State of New Jersey,
party of the second part.

W I T N E S S E T H:

That the said party of the first part, for and in
consideration of the continuous use and maintenance of the
premises hereinafter described by the party of the second part
as and for a public park and public recreational area and in
consideration of the payment of the sum of **Two Hundred fifty-three**
Dollars
Thousand One Hundred Twenty Five (\$253,125.00)/ to it in hand
paid by the said party of the second part, receipt of which is
hereby acknowledged, and in consideration of the assumption by
the party of the second part of all the obligations, restrictions,
covenants, and conditions as hereinafter set forth, does hereby

remise, release and forever quitclaim unto the said party of the second part, its successors and assigns, without representation or warranty, express or implied:

ALL that tract, piece or parcel of land situated in the Township of Edison, County of Middlesex, State of New Jersey, bounded and described as follows:

BEGINNING at a point in the Southerly line of the Lehigh Valley Railroad, said point being distant Seven Hundred Thirty-seven and Eighty-six one-hundredths (737.86') feet Easterly as measured along said Southerly line from its intersection with the North-easterly line of lands, now or formerly of Nixon Nitration Works; thence running (1) North Thirty-four degrees Eighteen minutes Thirty seconds East (N. $34^{\circ} 18' 30''$ E.) along the Southerly line of the Lehigh Valley Railroad, Twelve Hundred Ninety-five and Twenty-five one-hundredths (1295.25') feet to a point of curve; thence (2) Easterly on a curve to the right having a radius of Eleven Hundred Thirteen (1113') feet and a length of Seven Hundred Seventy-eight and Thirty-two one-hundredths (778.32') feet to a point of Tangent (The chord of said arc having a bearing of North Fifty-four degrees Twenty minutes Thirty seconds East (N. $54^{\circ} 20' 30''$ E.) and a length of Seven Hundred Sixty-two and Fifty-five one-hundredths (762.55') feet; thence (3) North Seventy-four degrees Twenty-two minutes Thirty seconds East (N. $74^{\circ} 22' 30''$ E.), Seventy-one and Two tenths (71.2') feet; thence (4) South Thirty-seven degrees Forty-four minutes Fifty seconds East (S. $37^{\circ} 44' 50''$ E.) along lands remaining to the United States of America (Raritan Arsenal), Thirty-eight Hundred Fifty-nine and Seventy-three one-hundredths (3859.73') feet to the center line of Magazine Road No. 11; thence (5) South Fifty-two degrees Fifteen minutes Ten seconds West (S. $52^{\circ} 15' 10''$ W.) along the center line of Magazine Road No. 11 and along lands remaining to the United States of America, Twenty-one Hundred Thirty-seven and Fifty-four one-hundredths (2137.54') feet to lands, now or formerly of Nixon Nitration Works; thence Northwesterly along said last mentioned lands the six following courses, to wit; (6) North Eleven degrees Twenty-nine minutes Forty seconds West (N. $11^{\circ} 29' 40''$ W.), Fourteen Hundred Thirty-three and Sixty-five one-hundredths (1433.65') feet; (7) South Eighty-one degrees Forty-eight minutes Twenty seconds West

(S. 81° 48' 20" W.), One Hundred Thirty-eight and Ninety-two one-hundredths (138.92') feet; (8) North Forty-five degrees Sixteen minutes Forty seconds West (N. 45° 16' 40" W.), Three Hundred Thirty-five (335') feet; (9) North Sixty-eight degrees Twenty minutes Forty seconds West (N. 68° 20' 40" W.), Three Hundred Thirty-six and Two one-hundredths (336.02') feet; (10) North Seventy degrees Forty-five minutes Forty seconds West (N. 70° 45' 40" W.), Two Hundred Nineteen and Forty-one one-hundredths (219.41') feet; (11) North Eighty-seven degrees Twenty-one minutes Forty seconds West (N. 87° 21' 40" W.), One Hundred Sixty-nine and Eighty-eight one-hundredths (169.88') feet; thence (12) North Thirty-seven degrees Forty-four minutes Fifty seconds East (N. 37° 44' 50" E.), Eleven Hundred Eighty and Forty-one one-hundredths (1180.41') feet to the place of Beginning.

Excepting thereout and therefrom the tract containing the Sewage Treatment Plant Site conveyed by the United States of America by deed dated April 30, 1964 recorded May 5, 1964 in the County Clerk's Office, Middlesex County in Deed Book 2457, Page 125.

TOGETHER WITH and subject to a perpetual easement for a grade crossing over the land and tracks of Lehigh Valley Railroad Company acquired by the United States of America, described and identified as Parcel B in United States Army Requisition No. 1042 B/C, Ordnance No. 693 dated February 6, 1919 and filed in the Middlesex County Clerk's Office in Miscellaneous Records, pages 247, etc., Book 2 on September 25, 1919.

TOGETHER WITH THE appurtenances and all the estate and rights of the party of the first part in and to said premises, but subject to the obligations, reservations, restrictions, covenants and conditions herein contained.

It is understood that approximately 8.33 acres more particularly described below, being a portion of the premises conveyed hereby were subject to contamination and may be contaminated on or beneath the ground surface as a result of the use thereof by the United States of America. Accordingly, it is agreed that the use and occupancy of said 8.33 acres as hereinafter

described shall be restricted to surface use only. Said parcel of restricted use is described as follows:

TRACT 1

BEGINNING at the northeast corner of the above parcel; thence southerly along the easterly line thereof a distance of 1750 feet, more or less, to a pin in the center line of a road known as Magazine Road No. 5; thence westerly along the center line of Magazine Road No. 5 a distance of 793.5 feet, more or less, to a railroad spike; thence with an angle of 90° to the right a distance of 32.4 feet to an iron pipe; this pipe marks the true point or place of beginning of the tract about to be described:

THENCE from said true point or place of beginning continuing along the same course a distance of 306.15 feet, more or less, to an iron pipe; thence with an angle of 89° to the left a distance of 504.8 feet, more or less, to an iron pipe; thence with an angle of 87° to the left a distance of 308.3 feet, more or less, to an iron pipe; thence with an angle of 94° to the left a distance of 524.9 feet, more or less, to the true point or place of beginning, containing 3.63 acres, more or less.

TRACT 2

BEGINNING at the northeast corner of the above-described parcel; thence southerly along the easterly line thereof a distance of 1750 feet, more or less, to a pin in the center line of a road known as Magazine Road No. 5; thence westerly along the center line of Magazine Road No. 5 a distance of 793.5 feet, more or less, to a railroad spike; thence with an angle of 90° to the left a distance of 11.55 feet to an iron pipe, this pipe marks the true point or place of beginning of the tract about to be described:

THENCE from said true point or place of beginning continuing along the same course a distance of 299.15 feet, more or less, to an iron pipe; thence with an angle of 87° to the right a distance of 643 feet, more or less, to an iron pipe; thence with an angle of 92° to the right a distance of 333.65 feet, more or less, to an iron pipe; thence with an angle of 91° to the right a distance of 653 feet to the true point or place of beginning, containing 4.7 acres, more or less.

By the acceptance of this deed, the party of the second part covenants and agrees:

For itself, its successors and assigns, to assume all risk for personal injuries and property damages arising out of ownership, maintenance, use and operation of said property and further covenants and agrees to indemnify and save harmless the General Services Administration and the United States of America, their servants, agents, officers and employees, against any and all liabilities, claims, causes of action or suits due to, arising out of, or resulting from, immediately or remotely, the possible contaminated conditions, ownership, use, occupation or presence of the party of the second part, its successors and assigns, or any other person upon the property, lawfully or otherwise.

Said property transferred hereby was duly determined to be surplus, and was assigned to General Services Administration for disposal pursuant to the Federal Property and Administrative Services Act of 1949 (63 Stat. 377) as amended, and the Surplus Property Act of 1944 (58 Stat. 765) as amended thereby, and more particularly, Public Law 616, 80th Congress, and applicable rules, orders and regulations.

TO HAVE AND TO HOLD the said premises with the appurtenances unto the party of the second part, its successors and assigns forever, subject to the reservations, restrictions, covenants and conditions herein contained.

The said party of the second part does, by the acceptance of this Deed, further covenant and agree for itself and its successors and assigns, as follows:

1. The above described premises shall be forever used and maintained as and for public park and public recreational area and for those purposes only in accordance with the approved program contained in **Report prepared by Northeast Regional Office, Bureau of Outdoor Recreation, Department of the Interior, dated April 1964,** incorporated herein by said reference with the same force and effect as if herein fully set forth.

2. The party of the second part, its successors and assigns, shall file biennial reports with the Secretary of the Interior, or his successor in function, setting forth the use of the property during the preceding two (2) year period, and other pertinent data establishing its continuous use of the premises for the purposes set forth above.

3. The party of the second part will not sell, lease, assign or otherwise dispose of the premises, except to another local Government agency, that the Secretary of the Interior, or his successor in function, is satisfied can assume the continued use and maintenance of the property for a public park and public recreational area purposes.

4. In the event there is a breach of any of the conditions and covenants herein contained by the party of the second part, its successors and assigns, whether caused by the legal inability of said party of the second part, its successors and assigns, to perform said conditions and covenants, or otherwise, all right, title and interest in and to all of the said premises shall in its then existing condition revert to and become the property of the United States of America at the option of the Secretary of the Interior and it shall have the immediate right of entry upon said premises and the party of the second part, its successors and assigns shall forfeit all right, title and interest in said premises and in any and all of the tenements, hereditaments and appurtenances thereunto belonging:

PROVIDED, HOWEVER, that the failure of the Secretary of the Interior, or his successor in function, to require in any one or more instances complete performance of any of the conditions or covenants herein contained shall not be construed as a waiver or relinquishment of such future performance, but the obligation of the party of the second part, its successors and assigns, with respect to such future performance shall continue in full force and effect.

5. The party of the second part may, at the discretion of the Secretary of the Interior but subject to the disapproval of the Administrator of General Services, secure release of any of the provisions, covenants and conditions herein contained, except

the right to repossess the premises for emergency use as contained in paragraph 6 hereinafter set forth, if the Secretary of the Interior determines that the property affected or sought to be released no longer serves the purpose for which it was transferred, or that such release will not prevent accomplishment of the purpose for which such property was conveyed; PROVIDED, THAT (a) if the party of the second part requests that all of the property conveyed hereby be released from the covenants, conditions and restrictions (hereinafter referred to as the conveyance restrictions) or any of them, the party of the second part shall pay to the United States of America, upon such release, an amount equal to the fair value of said property, as determined by the United States of America, based upon its highest and best use at the time such release is requested, less the sums paid for the said property by the party of the second part for and upon the delivery of this deed; or (b) if the party of the second part requests that a portion of the property conveyed hereby be released from the conveyance restrictions, or any of them, the party of the second part shall pay to the United States of America, upon such release, an amount of money as the United States of America determines to be appropriate, which appropriate amount shall be computed by first determining the fair value on the basis of the highest and best use thereof as of the date of the request of the

release, of all the property conveyed hereby and by subtracting therefrom the fair value of that portion of the property which is to remain subject to such conveyance restrictions, and by further subtracting from the result the portion of the total price originally paid by the party of the second part that is applicable, on the basis of acreage, to the property which is to be released from the conveyance restrictions.

6. The party of the first part shall have the right during the existence of any national emergency declared by the President of the United States of America, or the Congress thereof, including the presently existing national emergency, to the full, unrestricted possession, control and use of the premises, or any part thereof, without charge; EXCEPT THAT the party of the first part shall be responsible during the period of such use, if occurring within a period of twenty (20) years from the date of this conveyance, for the entire cost of maintaining the premises, or any portion thereof, so used, and shall pay a fair rental for the use of any installations or structures which have been added thereto without Federal aid:

PROVIDED, HOWEVER, that if such use is required, the party of the first part shall pay a fair rental for the use of the premises or any part thereof (a) if such use occurs after the expiration of a period of twenty (20) years from the date hereof, or (b) if the premises so used have been released from the conveyance restrictions as hereinabove provided.

7. In the event of a breach of any condition or covenant herein imposed, the Secretary of the Interior, or his successor in function, may immediately enter and possess himself of title to the herein conveyed premises for and on behalf of the United States of America.

8. In the event of a breach of any condition or covenant herein imposed, the party of the second part will, upon demand by the Secretary of the Interior, or his successor in function, take such action, including the prosecution or suit, or execute such instruments, as may be necessary or required to evidence transfer of title to the herein conveyed premises to the United States of America.

IN WITNESS WHEREOF, the party of the first part has caused this instrument to be executed in its name by **Arthur Miller, Regional Administrator,**

General Services Administration, Region 2, New York, N. Y., who has hereunto affixed his hand the day and year first above written.

UNITED STATES OF AMERICA
Acting by and through the
ADMINISTRATOR OF GENERAL SERVICES

Signed, sealed and
delivered in the
presence of


By /s/ Arthur Miller

/s/ Paul F. Cirillo

STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

Be it remembered that on this 15th day of October 1964, before me, the subscribed, a Notary Public of the State of New York, authorized by the Laws of said State to take acknowledgments of Deeds, personally appeared Arthur Miller, Regional Administrator, Region 2, New York, General Services Administration, residing at 53-40 Oceania Street, Bayside, New York, to me known and known to me to be the Regional Administrator, Region 2, New York, General Services Administration, duly delegated, empowered and authorized by the Administrator of General Services, who being by me duly sworn on his oath, doth depose and make proof to my satisfaction that he is the person described in and who executed the within instrument for and on behalf of the Administrator of General Services, and having first made known to him the contents thereof, he did thereupon acknowledge that he signed, sealed and delivered the same as the voluntary act and deed of the Administrator of General Services, acting for and on behalf of the United States of America, for the purposes and uses therein described.

Paul F. Cirillo
Notary Public - State of New York
No. 20-6223750
Certified in Nassau County
Cert. filed with the New York Co. Clerk
Commission Expires March 30, 1966



Regional Administrator

October 16, 1964

Associate Regional Counsel

2LX

Raritan Arsenal Title Closings
County of Middlesex

Transmitted herewith are 3 original deeds from GSA to County of Middlesex which may be delivered to the County authorities on October 22, 1964 at the closings' ceremony upon receipt of a check or checks aggregating \$394,695.00.

The transactions are as follows:

1. Conveyance for public park and recreational purposes - 161.03 acres - Cash on closing (50% of appraised market value)	\$253,125.00
2. Conveyance of 5.245 acres -	
Selling price	\$117,300.00
Deposit received	<u>11,730.00</u>
Cash on closing	\$105,570.00
3. Conveyance of 12.778 acres -	
Selling price	\$40,000.00
Deposit received	<u>4,000.00</u>
Cash on closing	<u>\$36,000.00</u>
Total cash due on closing	\$394,695.00

I have received advice from the Assistant Counsel that the attached deeds are in form satisfactory to the Counsel.

cc: Official File - 2L
Reading
PAUL F. CIRILLO/ccn

PAUL F. CIRILLO



COUNTY OF MIDDLESEX, NEW JERSEY

DIVISION OF LAW, COURT HOUSE
NEW BRUNSWICK, NEW JERSEY

Reply To
139 Raritan Avenue
Highland Park, N. J.



COUNSEL
WARREN W. WILENTZ
ASST. COUNSEL
HERMAN B. HOFFMAN

October 13, 1964

Paul F. Cirillo, Esq.
Associate Regional Counsel
General Services Administration
30 Church St.
New York 17, N. Y. 10007

Re: 161.03 Acres (Former Raritan
Arsenal, Middlesex Co., N.J.)
Your Reference: 2LX
D-N.J.-440C
Our File: 155 R.A.(D)

Dear Mr. Cirillo:

We have already discussed the Deed in the above matter and since no changes can be made as suggested in my previous letters, we will proceed with this closing on October 22, 1964 when the 12.778 Acre Tract and the 5.245 Acres Tract are closed.

Is it necessary to have the County Checks certified? Please advise.

Very truly yours,

Herman B. Hoffman
Herman B. Hoffman,
Assistant County Counsel

HBH/lmh



COUNTY OF MIDDLESEX, NEW JERSEY

DIVISION OF LAW, COURT HOUSE
NEW BRUNSWICK, NEW JERSEY

2

COUNSEL
WARREN W. WILENTZ
ASST. COUNSEL
HERMAN B. HOFFMAN

139 Raritan Avenue
Highland Park, N.J.

October 6, 1964

Albert Wilson, Chief,
Real Property Division
General Services Administration
30 Church St.
New York, N. Y. 10007

Re: 161.03 Acres
Former Raritan Arsenal
Middlesex co.
D-NJ-440C
Our File: 155 R.A.(D)

Dear Mr. Wilson:

Transmitted herewith you will please find Voucher in the amount of \$253,125.00 in reference to the above matter.

Would you be kind enough to execute this Voucher on the back and return to me so that I may submit the same to the Treasurer of the County of Middlesex for payment? Please forward this Voucher to me at 139 Raritan Ave., Highland Park, N.J.

Sincerely yours,

Herman B. Hoffman
Herman B. Hoffman,
Assistant County Counsel

HBH/lmh
enc/

Voucher mailed 10/8/64 - b.p.

Office Memorandum • UNITED STATES GOVERNMENT


TO : THE FILES

DATE: September 30, 1964

FROM : Associate Regional Counsel

SUBJECT: Civil Rights Act of 1964

In a telephone conversation between Mr. A. Wilson and Walter Moreland on September 30, 1964, Mr. Moreland advised Mr. Wilson that the memorandum of the Commissioner of UDS dated July 16, 1964 relating to the Civil Rights Act of 1964 and the memorandum dated August 17, 1964 relating to the revision of subparagraph 3f of Appendix 3J,H,B, excess and surplus real property, would by reason of the existence of the contract between GSA and the County of Middlesex be applied prospectively and therefore the requirements of said memoranda would not be applicable in the deed to the County of Middlesex conveying 161 acres of land and improvements at Raritan Arsenal, Middlesex County, New Jersey.



PAUL F. CIRILLO

cc: M. Annibale - 2UR

THE FILES

September 30, 1964

Associate Regional Counsel

Civil Rights Act of 1964

In a telephone conversation between Mr. A. Wilson and Walter Moreland on September 30, 1964, Mr. Moreland advised Mr. Wilson that the memorandum of the Commissioner of UDS dated July 16, 1964 relating to the Civil Rights Act of 1964 and the memorandum dated August 17, 1964 relating to the revision of subparagraph 3f of Appendix 3J,H,B, excess and surplus real property, would by reason of the existence of the contract between GSA and the County of Middlesex be applied prospectively and therefore the requirements of said memoranda would not be applicable in the deed to the County of Middlesex conveying 161 acres of land and improvements at Raritan Arsenal, Middlesex County, New Jersey.

PAUL F. CIRILLO

cc: M. Annibale - 2UR

Official File - 2L
Reading
PAUL F. CIRILLO/ccn

30 Church Street

//

10007

September 30, 1964

2LX

County of Middlesex
Division of Law
139 Raritan Avenue
Highland Park, New Jersey

Attention: Mr. Herman B. Hoffman
Assistant County Counsel

Re: 161.03 Acres
(Former) Raritan Arsenal
Middlesex County, New Jersey
D-NJ-440C

Gentlemen:

This will reply to your letter dated August 21, 1964 requesting an amendment to paragraphs 4 and 6 of the deed enclosed with my letter of August 13, 1964, purporting to convey subject property to the County of Middlesex, New Jersey.

We have considered this matter in the light of your letter of August 21, 1964 and regret to advise that we cannot agree to the amendment requested by your letter. As you know, conveyances for public park and recreational purposes have been made since the enactment of Public Law 616, 80th Congress, on June 10, 1948. Formerly, the period of restrictive use was 20 years and deeds of conveyance provided for a reverter to the Government in the event of breach at any time during the said 20 year period, without reimbursement of the consideration paid. This agency has recently revised the terms and conditions of such conveyances so as to provide for a perpetual period of restrictive use, the intention of which is to require grantees to use the property for public park and recreational purposes forever. The right to exercise reverter is designed to be co-extensive with the period of

County of Middlesex

September 30, 1964

restrictive use. To make provision for reimbursement of the consideration in the event of reverter would contravene the clear purpose to ensure that the property be acquired and permanently used for park and recreational purposes.

In this connection, neither the letter agreement between the County of Middlesex and this agency nor the application dated February 11, 1964, as amended, authorizes the amendment requested by your letter. Moreover, the discount from the fair market value granted to the County is reflected in the terms, conditions and restrictions, which also include the Government's right of recapture contained in Paragraph 6.

We regret that this agency cannot accede to your request to amend Paragraphs 4 and 6 of the proposed deed and hope that you will arrange for an early closing of this transaction.

Very truly yours,

PAUL F. CIRILLO
Associate Regional Counsel

cc: Official File - 2L
Reading
PAUL F. CIRILLO/ccn

UTILIZATION AND DISPOSAL SERVICE
30 Church Street

August 31, 1964

2UR

County of Middlesex
Division of Law
139 Raritan Avenue
Highland Park, New Jersey

Attention: Mr. Herman B. Hoffman
Assistant County Counsel

Gentlemen:

Subject: 161.03 Acres
(Former) Raritan Arsenal
Middlesex County, New Jersey
D-NJ-440C

This will refer to your letter of August 21, 1964 concerning the conveyance of 161.03 acres of land for park and recreational use to the County of Middlesex.

The matter is presently under consideration and this office will communicate with you in the very near future.

Sincerely yours,

Albert Wilson
Chief, Real Property Division

cc: Official File - 2UR ✓
P. F. Cirillo - 2-L
Daily File - 2UR

MQAnnibale:rc

8/31/64

Ext. 338

MO